REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-3, 5-10, 12-17, 19-36, 38-42, 45-57, 59, 61-66, 107, 109, 111-117, 119, 120 and 123 are currently pending
- Claims 43, 44, 118 and 122 are canceled herein
- Claims 1, 26, 34-36, 45-56, 107, 109 and 123 are amended herein

Claim Amendments

[0003] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 26, 34-36, 45-56, 107, 109 and 123 herein. Applicant amends claims to highlight claimed features. These amendments are fully supported by the Application and are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to highlight the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

Cited Documents

[0004] The following documents have been applied to reject one or more claims of the Application:

- Murashita: Murashita, et al., U.S. Patent No. 6,850,245
- Maxon,: Maxon, et al., U.S. Patent No. 6,930,730
- Kang: Kang, U.S. Patent No. 6,747,688
- Dean: Dean, et al., U.S. Patent No. 6,771,323

Rejection under 35 U.S.C. §103(a) over Murashita, Maxon, Kang and Dean

[0005] Claims 1-3, 5-10, 12-17, 19-36, 38-57, 59, 61-66, 107, 109, 111-120, 122 and 123 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Murashita, Maxon, Kang and Dean. Applicant respectfully traverses the rejection. Furthermore, in light of the amendments presented herein, Applicant submits that the rejection is moot. Thus, withdrawal of the rejection is respectfully requested.

Independent claim 1

[0006] Independent claim 1, as amended, recites (in part):

> wherein:
>
> ***movement of the one or more moving features or objects in the first motion video facilitates the user identifying the suggested visual threshold*** and calibrating one or more parameters of the display without requiring the user to use technical test screens for calibration…

[0007] In rejecting claim 1, the Examiner states that:

> Murashita, Maxon and Dean do not disclose the first [video signal] being photorealistic and configured to include motion pictures of real objects; and comprising the one or more features or objects mentioned in the instructions, the one or more features or objects being sensitive to calibration changes of the one or more parameters of the display in that

> adjustment in m o n e or more parameters of the display cause discernable changes when the first motion video is played on the display; wherein the presenting facilitates the user calibrating one or more parameters of the display without requiring the user to use technical test screens in a calibration.
>
> In the same view of endeavor, Kang discloses the first [video signal] being photorealistic and configured to include motion pictures of real objects (col.5, lines 65- col.6, lines 8; col.9, lines 22-23; col.8, lines 18-29); and
>
> comprising the one or more features or objects mentioned in the instructions, the one or more features or objects being sensitive to calibration changes of the one or more parameters of the display in that adjustment in one or more parameters of the display cause discernable changes when the first motion video is played on the display (col.9, lines 5-10; color calibration adjustment parameters are displayed);
>
> (Office Action 04/15/2009 at page 6)

[0008] In light of the claim amendments herein, Applicant respectfully submits that the rejection is moot. In particular, at least the emphasized feature recited in amended claim 1, e.g., "***movement of the one or more moving features or objects in the first motion video facilitates the user identifying the suggested visual threshold,***" is not disclosed in Murashita, Maxon, Kang, and Dean, whether taken alone or in combination.

[0009] Kang describes an apparatus and method for reproducing real colors of a video system. The apparatus comprises a first test video signal generated by a video signal generating device, wherein the first test video signal includes inherent RGB color sensitivity information of the video signal generating device, and a second test video signal to be presented on a video signal display device, wherein the second test video signal includes inherent RGB color sensitivity information of the video signal display device. Kang then teaches a video signal device for synthesizing the first test video signal and the second test video signal and adjusting an amplitude degree of the first test video signal until color sensitivity of the first test video signal matches color sensitivity of the second test video signal and delivering the all video signals for display on a screen.

[0010] Kang describes calibration steps in light of Fig. 5b, which is provided below for further discussion.

FIG.5a

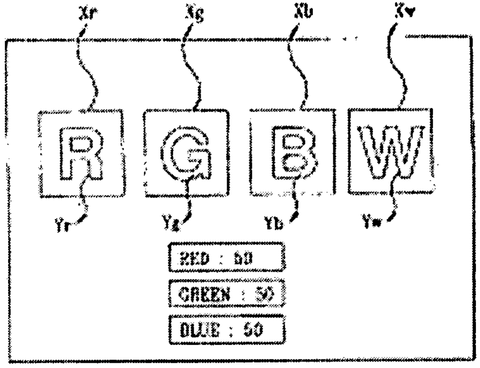
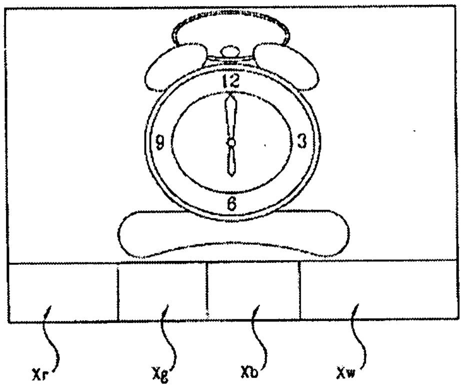


FIG.5b



> For example, as shown in FIG. 5b, if the photographing device 30 photographs a clock, the CCD 31 converts an optical signal of the object into an electric signal, the digital signal processor 32 detects the RGB color sensitivity from the video signal inputted from the CCD 31, produces the first test video signal based on the detected RGB color sensitivity, synthesizes the photographed video signal and the produced first test video signal for digital signal processing, stores the digital-signal-processed video signal in the frame memory 33 by frame unit under the control of the photographing controller 34, and transmits the video signal to the video signal display device 40.
>
> At this time, if a user operates the menu key for the reproduction of real colors, the display controller 42 senses the input from the menu key and outputs the second control signal S2 to the OSD signal generator 43.
>
> The OSD signal generator 43, based on the second control signal S2, reads the second test video signal, in which the inherent RGB color sensitivity information of the OSD signal generator 43 is included, from the internal memory, and outputs the read second test video signal to the video signal processing unit 44.

> The video signal processing unit 44, based on the second control signal S2, synthesizes the first test video signal and the second test video signal for display on the screen.
>
> As a further example, as shown in FIG. 5a, let R, G and B video signals of the first test video signal inputted from the photographing device 30 be Xr, Xg and Xb, respectively, and let R, G and B video signals of the second test video signal inputted from the OSD signal generator 43 be Yr, Yg and Yb, respectively.
>
> At this time, the Xr, Xg and Xb display color bar shapes, and the Yr, Yg and Yb display character shapes, so that the character shapes of Yr, Yg and Yb are displayed on the background of the color bar shapes of Xr, Xg and Xb, respectively.
>
> Accordingly, the colors of Yr, Yg and Yb inputted from the OSD signal generator 43 are the real colors viewed by the user. ***Therefore, the user compares the colors of Xr, Xg and Xb with the colors of Yr, Yg and Yb, respectively, and adjusts the amplitude degree of the colors of Xr, Xg and Xb until the colors of Xr, Xg and Xb are matched with the colors of Yr, Yg and Yb***, respectively.
>
> (Kang at col.8, line18-59)

[0011] Kang merely describes using a photo captured via a video camera as a reference for a user to adjust the colors of Yr, Yg and Yb. Kang, however, is completely silent with respect to the emphasized feature "***movement of the one or more moving features or objects in the first motion video facilitates the user identifying the suggested visual threshold***" as recited in claim 1.

[0012] Accordingly, amended independent claim 1 is respectfully asserted patentable over the cited references.

Dependent claims 2, 3, 5-10, 12-17 and 19-33

[0013] Each of the above dependent claims ultimately depends upon claim 1. As discussed above, independent claim 1 is patentable over the cited references. It is axiomatic that any dependent claim which depends from a base claim that is patentable over cited references is also patentable over the cited references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0014] For example, dependent claim 26, as amended, recites (in part):

> **26.** The computer-readable media of claim 1, wherein...***the one of the photo-realistic motion videos includes an inset window that displays a properly centered and sized sample of media on the display to facilitate the user calibrating the display.***

[0015] Applicant respectfully submits that the above emphasized feature is not disclosed, taught or suggested in the cited references, whether taken alone or in combination. In fact, none of the cited references describes that the "one of the photo-realistic motion videos includes an inset window that displays a properly centered and sized sample of media on the display to facilitate the user calibrating the display..." as recited in claim 26.

[0016] Thus, in addition to the reasons provided with respect to claim 1, dependent claim 26 is asserted patentable over the cited references for at least the above additional reason.

Independent claim 34

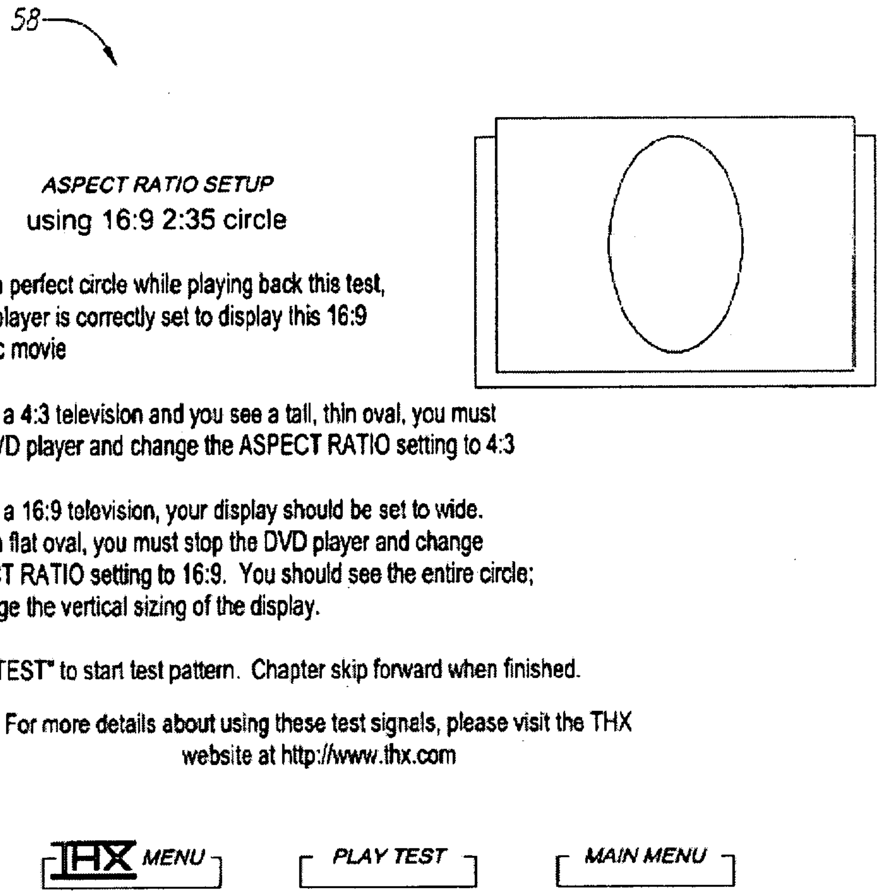
[0017] Independent claim 34, as amended, recites (in part):

> providing instructions to the user describing:
>
> the centering and sizing parameter that will be calibrated in the first motion video; and
>
> ***a properly centered and sized sample of the first motion video that will be displayed as an inset window in the first motion video, wherein the sample displayed in the inset window in the first motion video serves as a suggested visual threshold for the centering and sizing parameter of the display***; and
>
> presenting the first motion video on the display to facilitate the user adjusting the centering and sizing parameter to the suggested visual threshold, wherein the first motion video is:
>
> ***configured to include moving pictures of real objects that are configured to facilitate the user identifying and calibrating the centering and sizing parameter to the suggested visual threshold***;
>
> ***configured to include the inset window that displays the properly centered and sized sample of the first motion video on a calibrated display***;

[0018] In rejecting claim 34, the Office Action states that "in the same view of endeavor, Dean discloses providing, on the display, instructions to the user before presenting the first [video signal] selected from the one or more [video signal]...the instruction describing the one or more parameters of the display to be calibrated in the first [video signal]..."

[0019] Applicant respectfully submits that the above rejection is moot in light of the claim amendments presented herein.

[0020] Dean in Fig. 8 describes a user interface regarding aspect ratio setup using 16:9 2:35 circle as follows:



ASPECT RATIO SETUP
using 16:9 2:35 circle

If you see a perfect circle while playing back this test, your DVD player is correctly set to display this 16:9 anamorphic movie

If you have a 4:3 television and you see a tall, thin oval, you must stop the DVD player and change the ASPECT RATIO setting to 4:3

If you have a 16:9 television, your display should be set to wide. If you see a flat oval, you must stop the DVD player and change the ASPECT RATIO setting to 16:9. You should see the entire circle; if not, change the vertical sizing of the display.

Hit "PLAY TEST" to start test pattern. Chapter skip forward when finished.

For more details about using these test signals, please visit the THX website at http://www.thx.com

FIG. 8

[0021] However, Dean is completely silent with respect to the above emphasized features, e.g., "a properly centered and sized sample of the first motion video that will be displayed as an inset window in the first motion video, wherein the sample displayed in the inset window in the first motion video serves as a suggested visual threshold for the centering and sizing parameter of the display" and "wherein the first motion video is configured to include the inset window that displays the properly centered and sized sample of the first motion video on a calibrated display," as recited in the claim.

[0022] The other cited references do not remedy the deficiency of Dean. In fact, the other references do not mention the above emphasized feature at all.

[0023] Thus, independent claim 34, as amended, is respectfully asserted patentable over the cited references.

Dependent claims 35, 36, 38-42 and 45-55

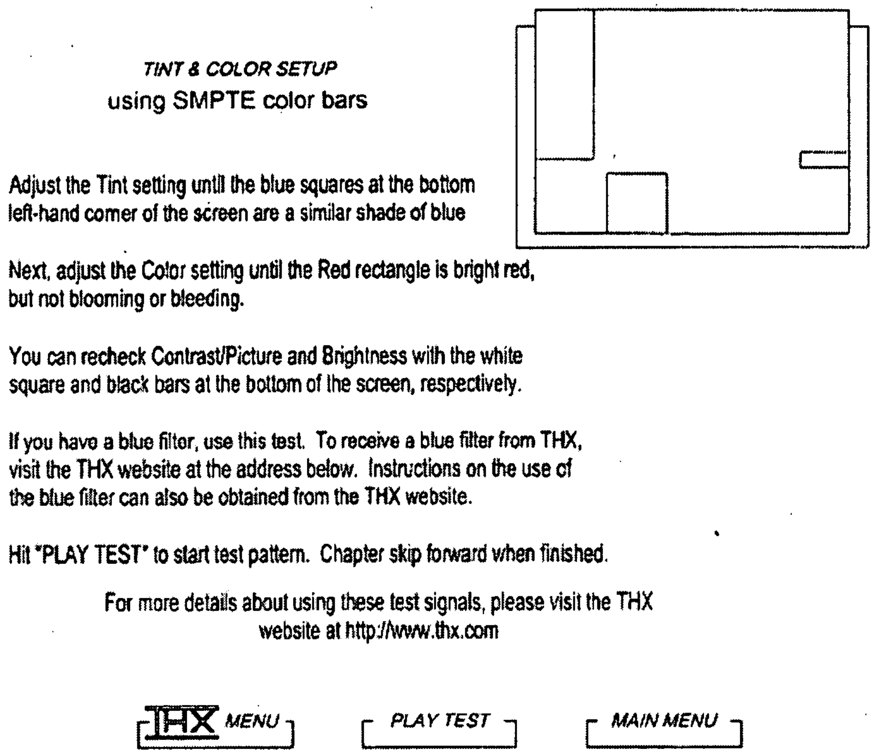
[0024] Each of the above dependent claims ultimately depends upon claim 34. As discussed above, independent claim 34 is allowable over the cited references. It is axiomatic that any dependent claim which depends from a base claim that is patentable over cited references is also patentable over the cited references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0025] For example, dependent claim 45, as amended, recites (in part):

> providing instructions to the user indicating:
>
> the brightness of the computer display that will be calibrated in the second motion video;
>
> ***a suggested visual threshold for calibrating the brightness of the computer display***; and
>
> ***a moving indicator that will be displayed in the second motion video to facilitate the user identifying the suggested visual threshold***; and
>
> presenting the second motion video on the display to facilitate the user adjusting the brightness of the computer display, wherein the second motion video:
>
> ***includes the moving indicator to facilitate the user identifying and calibrating the brightness of the computer display to the suggested visual threshold***;

[0026] Applicant respectfully submits that the above emphasized feature is not disclosed, taught, or suggested in any of the cited references.

[0027] Dean in Fig. 9 describes calibrating tint and color setup using SMPTE color bars as follows:



TINT & COLOR SETUP
using SMPTE color bars

Adjust the Tint setting until the blue squares at the bottom left-hand corner of the screen are a similar shade of blue

Next, adjust the Color setting until the Red rectangle is bright red, but not blooming or bleeding.

You can recheck Contrast/Picture and Brightness with the white square and black bars at the bottom of the screen, respectively.

If you have a blue filter, use this test. To receive a blue filter from THX, visit the THX website at the address below. Instructions on the use of the blue filter can also be obtained from the THX website.

Hit "PLAY TEST" to start test pattern. Chapter skip forward when finished.

For more details about using these test signals, please visit the THX website at http://www.thx.com

FIG. 9

[0028] According to Fig. 9, a user can recheck brightness with the white square and black bars at the bottom of the screen. However, Dean does not disclose or suggest "a moving indicator that will be displayed in the second motion video to facilitate the user identifying the suggested visual threshold."

[0029] The other cited references do not remedy the deficiency. In fact, none of the cited references discloses or suggests the above emphasized feature.

[0030] Thus, in addition to the reasons provided above with reference to claim 34, dependent claim 45 is asserted patentable over the cited references for at least this additional reason.

Independent claims 56 and 107

[0031] Independent 56 is amended to incorporate features similar to those recited in claim 1. For example, independent claim 56 recites "...wherein movement of the one or more moving features or objects facilitates the user identifying the suggested visual threshold and calibrating the one or more parameters of the display..." Independent claim 107 also recites the similar feature. Thus, independent claims 56 and 107 are respectfully asserted patentable over the cited references for at least the reasons provided above with reference to claim 1.

Dependent claims 57, 59, 61-66

[0032] Each of the above dependent claims ultimately depends upon claim 56. As discussed above, independent claim 56 is allowable over the cited references. It is axiomatic that any dependent claim which depends from a base claim that is patentable over cited references is also patentable over the cited references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent claim 109

[0033] Independent claim 109 is amended to recite several features including:

- wherein movement of the one or more moving features or objects facilitates the user identifying the first suggested visual threshold and calibrating the first parameter of the display
- providing...the instructions describing...a properly calibrated sample of the second motion video that will be displayed as an inset window in the second motion video, wherein the properly calibrated sample in the inset window serves as a second suggested visual threshold with which actual display of the second motion video on the display should be matched
- presenting the second motion video on the display to facilitate the user adjusting the second parameter to the second suggested visual threshold, wherein the second motion video includes the inset window that displays the properly calibrated sample of the second motion video

[0034] Features analogous to these have been addressed in the discussion of independent claims 1 and 34, above. Thus, independent claim 109 is asserted patentable over the cited references for at least the reasons provided above with reference to claims 1 and 34.

Dependent claims 111-117, 119 and 120

[0035] Each of the above dependent claims ultimately depends upon claim 109. As discussed above, independent claim 109 is allowable over the cited references. It is axiomatic that any dependent claim which depends from a base claim that is patentable over cited references is also patentable over the cited references. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent claim 123

[0036] Independent claim 123 is amended to incorporate features similar to those recited in independent claim 109. In particular, independent claim 123 recites:

- wherein movement of the one or more moving features or objects facilitates the user identifying the first suggested visual threshold and calibrating the first parameter of the display
- providing...the instructions describing...a properly calibrated sample of the second motion video that will be displayed as an inset window in the second motion video, wherein the properly calibrated sample in the inset window serves as a second suggested visual threshold with which actual display of the second motion video on the display should be matched
- presenting the second motion video on the display to facilitate the user adjusting the second parameter to the second suggested visual threshold, wherein the second motion video includes the inset window that displays the properly calibrated sample of the second motion video

[0037] Thus, independent claim 123 is respectfully asserted patentable over the cited references for at least the reason provided above with reference to claim 109.

Conclusion

[0038] Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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